

Senate Bill No. 768

CHAPTER 305

An act to add Sections 2138.5 and 18111 to the Elections Code, relating to elections.

[Approved by Governor October 5, 2007. Filed with
Secretary of State October 5, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

SB 768, Corbett. Misuse of voter registration information.

Existing law requires individuals and organizations that distribute voter registration cards to return the completed cards from voters to the appropriate elections official or to deposit the cards in the postal service within 3 days of receiving them.

Existing law also provides a procedure that permits an elector to entrust his or her completed affidavit of registration to another person for return to the appropriate elections official.

This bill would provide that an affiant's driver's license number, identification card number, and social security number are confidential and would make it an infraction, punishable by a fine not to exceed \$500, except as specified, for any person, individual, or organization to knowingly disclose this information from an affidavit of registration or a voter registration card that was distributed to a voter, or entrusted by the elector to another person.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 2138.5 is added to the Elections Code, to read:

2138.5. Notwithstanding any other provision of law, an affiant's driver's license number, identification card number, and social security number, contained on an affidavit of registration or voter registration card, are confidential and shall not be disclosed by an individual or organization that distributes voter registration cards pursuant to subdivision (b) of Section 2158, or by any person entrusted with an affidavit of registration from an elector pursuant to paragraph (1) of subdivision (b) of Section 2158. However, this section shall not be construed to prohibit a person entrusted

with an affidavit of registration from an elector pursuant to paragraph (1) of subdivision (b) of Section 2158 from returning that affidavit to the person or organization that distributed the voter registration card pursuant to subdivision (b) of Section 2158.

SEC. 2. Section 18111 is added to the Elections Code, to read:

18111. Any person, individual, or organization that knowingly violates Section 2138.5 is guilty of an infraction, punishable by a fine not to exceed five hundred dollars (\$500). Prosecution for a violation of Section 2138.5 shall not prohibit prosecution under any other applicable provision of law.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.